

Application Serial No. 09/126,897

Atty. Docket No. 003250-198

**REMARKS**

Claims 28-45 are pending. Claims 28, 30, 32, 36, 40, 43, and 44 are in independent form. Claims 43-45 are new.

Claims 28-42 were rejected for obviousness over GB Patent Application No. 2 125 253 by Latin et al. ("Latin") in view of U.S. Patent No. 5,715,512 to Fukasawa et al. ("Fukasawa"). The Advisory Action acknowledges that the feature of modulating the spread electrical signal on a subcarrier of a first frequency range and adding a control digital signal of a second frequency range, where the frequencies of the first frequency range are higher than the frequencies of the second frequency range, as recited in claim 28, is not suggested by the cited documents. (See, Advisory Action, paper 16, page 3, lines 8-10.) As previously noted, Fukasawa, at col. 2, lines 59-60, discloses that "[t]he first and second chip codes generated at the first station [] are mutually synchronized." The respective clocks used to generate the two chip codes agree in frequency. Otherwise, synchronization between the chip codes could not be maintained. Thus, the first and second chip codes must occupy the same frequency range. Accordingly, claims 28-42 recite a feature not suggested by the cited documents and should have been allowed.

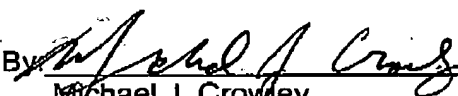
New claims 43-45 recited additional features not taught or suggested by the cited documents. Favorable consideration is requested.

Applicants believe the application to be in condition for allowance, and respectfully request notice thereof at an early date. If any issues remain, the Examiner is encouraged to telephone the undersigned at the below-listed number.

Respectfully submitted,

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